

IN RE: LUIS FRANCISCO GONZALEZ COLON
MARILYN RODRIGUEZ RIOS

Bankruptcy Number: **14-08398-BKT**
Chapter 13

- AMENDED -

TRUSTEE'S OBJECTION TO PROPOSED PLAN CONFIRMATION UNDER SECTION 1325

*ATTORNEY FEES AS PER R 2016(b) STATEMENT:

Attorney of Record: **JOSE A LEON LANDRAU***

Total Agreed: **\$3,000.00** Paid Pre-Petition: **\$0.00** Outstanding (Through the Plan): **\$3,000.00**

*TRUSTEE'S POSITION RE CONFIRMATION UNDER U.S.C. §1325

Debtor(s) Income is (are) ☐ Under ☒ Above Median Income Liquidation Value: **\$0.00**

Commitment Period is ☐ 36 months ☒ 60 months §1325(b)(1)(B) General Unsecured Pool: **\$0.00**

With respect to the (amended) Plan date: **Dec 03, 2014 (Dkt 24)** Plan Base: **\$23,460.00**

The Trustee: ☐ DOES NOT OBJECT ☒ OBJECTS Plan Confirmation Gen. Uns. Approx. Dist.: **0.4 %**

The Trustee objects to confirmation for the following reasons:

[1325(a)(8)] DSO Payment Default – Debtor(s) is in default with postpetition DSO payments.

Debtor has submitted evidence of being current with DSO payments up until the month of January 2015. Debtor must continue to submit evidence of being current with such obligation up until the confirmation of the plan.

***OTHER COMMENTS / OBJECTIONS**

As per Debtor's amended Schedule I, Debtor's business is underwater. Debtor loses \$212.00 in the operation of the same. Debtor has failed to establish that operating said business is needed for his reorganization.

Debtor has failed to submit last annual statement for Pitsa Corp.

At this time the Trustee does not know whether or not Debtor has to pay a general unsecured pool. The plan's sufficiency cannot be verified at this time.

Debtor's Means Test was filed incomplete. The form is missing the part pertaining to income without which the Trustee cannot calculate the disposable income.

CERTIFICATE OF SERVICE: The Chapter 13 Trustee herewith certifies that a copy of this motion has been served via first class mail on the same date it is filed to: the DEBTOR(S), and to her/his/their attorney through CM-ECF notification system.

/s/ Jose R. Carrion, Esq.
CHAPTER 13 TRUSTEE
PO Box 9023884, San Juan PR 00902-3884
Tel. (787)977-3535 Fax (787)977-3550

Date: February 06, 2015

/s/ Nannetto Godreau, Esq.

